

Before the
FEDERAL COMMUNICATIONS COMMISSION
Washington, D.C. 20554

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FEDERAL COMMUNICATIONS COMMISSION
OFFICE OF THE SECRETARY

In the Matter of)
)
Provision of Directory Listing Information)
Under the Communications Act of 1934, as)
Amended)
)
Telecommunications Relay Services and)
Speech-to-Speech Services for Individuals)
with Hearing and Speech Disabilities)
)

CC Docket No. 99-273

CC Docket No. 98-67

REPLY COMMENTS OF SPRINT CORPORATION

Sprint Corporation ("Sprint"), pursuant to *Public Notice* DA 00-930 issued April 27, 2000, and on behalf of its wholly-owned operating entities, hereby respectfully submits its reply comments in the above-captioned proceedings.

A. TELEGATE'S 411 PRESUBSCRIPTION PROPOSAL

Sprint concurs with the majority of commenting parties that have quite adequately pointed out the fallacies in Telegate's presubscription proposal. Sprint will not, therefore, burden the record by repeating here those same facts. It is sufficient to say that Telegate has offered no proof that competition is harmed -- or lacking -- in the directory assistance ("DA") market due to a lack of presubscription.

The Commission itself has previously found that directory assistance services are competitive. Thus, in its *UNE Remand Order (In the Matter of Implementation of the Local Competition Provisions of the Telecommunications Act of 1996, 15 FCC Rcd 3696, 3894 (¶447) (1999))*, the Commission explained that:

[c]ompetition in the provision of ...directory assistance has existed since divestiture. Such competition has accelerated

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in the directory assistance market as a result of the Supreme Court's decision to allow copying of carriers' white pages listings in their entirety.

The Commission when on to state (*id.* at 3894 (¶448)) that

[e]ven requesting carriers advocating the unbundling of operator and directory assistance services acknowledge that there exists a substantial number of alternative providers of ...directory assistance services.

The Commission, therefore, concluded that sufficient competition existed in the DA market such that unbundling of the incumbents DA services was not required.

The facts confirm the Commission's conclusion in the *UNE Remand Order*. As several commenting parties point out, the directory assistance market is thriving. While DA services continue to be offered by ILECs, several providers are now offering directory assistance services on a national basis. Moreover, DA services are available from CLECs, wholesale DA providers, wireless carriers and internet service providers. Plainly, competition is flourishing in the provision of DA services and no one has to rely upon his or her ILEC to obtain such services.

Sprint echoes the serious concerns expressed by several commenting parties regarding the costs of implementing DA presubscription. Telegate estimates that presubscription would cost the entire industry approximately \$23 million. Telegate appears to base this estimate on the assumption that that all carriers have in place the AIN software that would be required to make DA presubscription work.

This assumption is simply incorrect. The \$23 million figure suggested by Telegate would not cover Sprint's costs -- let alone the entire industry's -- should Telegate's proposal be adopted. Sprint's local division companies have not deployed AIN 0.1 in any of its 330 plus second generation digital host switches. Nor have Sprint's

local division companies established the necessary service control points (“SCPs”). The network- related costs here are substantial and when the significant administrative costs that Sprint would incur in processing presubscription ballots for its 8.5 million local customers are considered, the implementation of DA presubscription would cost Sprint alone approximately \$50 million.¹

It is clear that Telegate's petition must be denied in its entirety. Even accepting *arguendo* that Telegate has provided evidence that DA presubscription is needed in order to enhance competition in the provision of DA services -- and it has not -- any such enhancement would be *de minimus* at best and would not outweigh the substantial costs that DA presubscription would require the industry to incur.

B. 711 PRESUBSCRIPTION TO TRS

Sprint also agrees with those commenting parties who point out that there is no apparent public interest justification for requiring 711 presubscription to TRS. *See e.g.*, BellSouth at 17; SBC at 10-11; Bell Atlantic at 10-11. Certainly the *Public Notice* does not set forth any justification and the Bureau's request for comments on this issue appears, at best, to be an afterthought.

Even those commenting parties who otherwise support requiring 711 presubscription to TRS do not advance any public interest reason for imposing such a requirement. Thus, in their joint comments, the National Association of the Deaf -- Telecommunications Advocacy Network, the Consumer Action Network and TDI (collectively NAD) argue generally that 711 presubscription to TRS should be required

¹ The \$50 million represents only the initial deployment expenses. It does not include the on-going maintenance expenses associated with the AIN software and additional SCPs.

because of the multi-TRS provider environment that they believe such requirement may engender. But they disavow any attempt to explain why a multi-TRS provider approach is in the public interest, stating that "[t]his is not the time or place to debate the merits of the multi-TRS vendor approach or structure -- which merits a detailed analysis at a later date." Comments at 7. Of course, the Commission, consistent with its public interest responsibilities, must conduct just such a detailed analysis if it is to require 711 presubscription to TRS.

Before it mandates 711 presubscription to TRS, the Commission will have to confront and resolve a plethora of difficult issues in addition to issues related to cost and technical feasibility. As a threshold matter, the Commission will have to determine whether there is even a significant demand within the TRS user community for the ability to choose among multi-TRS vendors. The current evidence suggests otherwise since no State other than California believes it is necessary to offer its residents a choice of TRS vendors.

If contrary to such evidence, the Commission determines that TRS users should be able to choose their TRS provider, it will then have to come up with a system that preserves competitive neutrality in the administration of 711 presubscription but does not degrade the service TRS users receive. WorldCom at 7-8. The Commission will also need to develop a new interstate funding mechanism for TRS service since a TRS user in a particular State would, with 711 presubscription, be able to choose any relay provider in the country and not just the one currently providing TRS service in the user's State. WorldCom at 8-9; Bell Atlantic at 10-11. And, in order to implement such funding, the

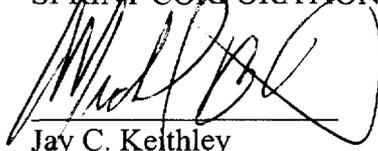
Commission may need to preempt each State's administration of TRS and void the current contracts each State has with its current chosen TRS relay provider.

With preemption, responsibility for the entire administration of the TRS system would fall to the Commission. Because the States would no longer be vested with the authority to ensure that TRS service is being provided in the best interests of their residents, they presumably would no longer have any incentive to administer TRS service and ensure that the unique needs of their residents who utilize TRS service are being met. Thus, the Commission will have to develop national standards that may or may not accommodate the individual needs of TRS users in various regions of the United States. WorldCom Comments at 9. It would also have to enforce such standards since, again, the States may be reluctant to expend the resources to enforce standards over which they have no control. It is problematic as to whether the Commission has the resources to take up the enforcement responsibilities the States now assume.

In short, until the Commission undertakes an in-depth and complete analysis of all of the issues implicated by 711 presubscription for TRS, it cannot find, as it must, that such presubscription is in the public interest.

Respectfully submitted,

SPRINT CORPORATION

A handwritten signature in black ink, appearing to read "Jay C. Keithley", is written over a horizontal line.

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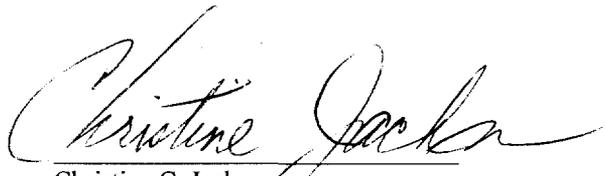
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June 14, 2000

CERTIFICATE OF SERVICE

I hereby certify that a copy of the foregoing Reply Comments of Sprint Corporation was sent by United States first-class mail, postage prepaid, or by hand on this 14th day of June, 2000 to the parties on the following list.



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